

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA, <i>et al.</i> ,)	Civil Action No. 05-10112 JLT
)	
Plaintiffs,)	
)	STIPULATION OF THE PARTIES
v.)	REGARDING VOLUNTARY
)	DISMISSAL OF DEFENDANT
THE COMMONWEALTH OF)	COMMONWEALTH OF
MASSACHUSETTS, <i>et al.</i> ,)	MASSACHUSETTS' COUNTERCLAIM
)	
Defendants.)	

The parties stipulate pursuant to Rule 41(a)(1) that the counterclaim of Defendant Commonwealth of Massachusetts and the counterclaim of Intervenor-Defendant The Coalition for Buzzards Bay ("The Coalition") are hereby dismissed, each party to bear its own costs. The parties agree that in light of a Final Rule published by the United States Coast Guard in the Federal Register on December 22, 2005, which establishes procedures for alcohol testing following a serious marine accident, the Counterclaims of the Commonwealth and The Coalition are moot.

Respectfully submitted,

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